

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PHYLLIS M. KNIGHT, and  
ALPHONSO V. FRAZIER II,

Plaintiffs,

vs.

UNITED STATES, and ROBERT F.  
ROSSITER JR.,

Defendants.

**8:22CV134**

**MEMORANDUM  
AND ORDER**

Although the caption to the Complaint in this case lists two Plaintiffs, only Phyllis M. Knight has signed the Complaint and obtained leave to proceed in forma pauperis. Knight is not an attorney and cannot represent Alphonso V. Frazier II. Knight has filed a pre-service “motion to dismiss” (Filing 6), which the court liberally construes as a notice of dismissal filed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) (“[T]he plaintiff may dismiss an action without a court order by filing ... a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment ....”).

IT IS THEREFORE ORDERED that:

1. This action is voluntarily dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i); and
2. The clerk of the court shall term Plaintiff’s “motion to dismiss” (Filing 6) and close this case for statistical purposes.

Dated this 27th day of April, 2022.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge